

### **Remarks**

Reconsideration and further examination is respectfully requested. Claims 1-14 remain in the application and no claims have been added.

Applicant has invented a bridge for a guitar or other stringed instrument which provides individual height and length adjustment of each string. While this result has been achieved before, the inventive bridge achieves the result through an adjuster having a saddle and anvil which mate pivotally, preferably at a fulcrum and pivot groove. This pivotal connection is novel as is the use of a height adjustment screw which draws together the rear of the saddle and the anvil. Claims 1-9 have been rejected; while claims 10-14 were apparently missed by the Examiner.

### **No discussion of claims 10-14**

The Office Action Summary prepared by the Examiner states that "claims 1-9" are pending and have been rejected. However, there are 14 claims pending in the application. This fact was reflected in the Filing Receipt and there have been no claims cancelled since the application was filed.

Applicant respectfully requests that the Examiner review the application more closely and also address claims 10-14.

### **35 USC §102(b) Rejection of Claims 1-9**

The Examiner has rejected claims 1-9 under 35 USC 102(b) over US patent 6,133,5515 to Hoshino. This, despite the fact that Hoshino discloses no type of pivotal connection between a saddle and anvil as cited in all of the rejected claims and discloses neither fulcrum nor pivot groove as cited in claims 1-8. Applicant must respectfully traverse this rejection.

Rejection of a claim under 35 USC 102 is proper only if the cited reference teaches every aspect of the claimed invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros.*

*V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

“A prior art reference anticipates a claim only if the reference discloses, either expressly or inherently, every limitation of the claim.” *Rowe v. Dror*, 112 F.3d 473, 478, 42 USPQ2d 1550 (Fed. Cir. 1997) (citing *Verdegaal supra*).

“[A]bsence from the reference of any claimed element negates anticipation.” *Id.* (quoting *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565, 1571, 230 USPQ 81, 84 (Fed. Cir. 1986).)

The discussion at MPEP 706.02 is recommended, including “..for anticipation under 35 USC 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly.”

The only prior art reference cited by the Examiner falls critically short of satisfying the standard for a section 102 rejection. Regarding claims 1-8, all of which incorporate the limitations of claim 1, a saddle is cited “having a protruding fulcrum extending perpendicular to said longitudinal axis” and an anvil is cited “defining a pivot groove adapted to receive said fulcrum.” (Emphasis added.) Neither of these elements is disclosed by the Hoshino patent.

In reference to the fulcrum, the Examiner cites “figure 2” generally without pointing out a specific element considered to be corresponding. That is most likely because no such corresponding element exists but also because the view afforded by Figure 2 could not disclose the element even if it exists. Referring to Figures 4 and 5 which actually disclose the structure of the bridge disclosed by Hoshino, it will be seen that the “saddle” is supported not by an anvil, as in the present invention, but by a pair of adjusting screws, 37 and 38, which bear on the flat surface of the base plate of the “anvil.”

In reference to the pivot groove, the Examiner cites nothing in the Hoshino patent, only making the bald statement that there is an anvil with a pivot groove. Again referring to Figure 4, it is clear that no pivot groove exists in the “anvil” of Hoshino, or anything which could possibly be considered analogous. If such exists elsewhere, Applicant is unable to find it and respectfully requests that the Examiner specifically point it out.

Addressing claims 2 and 3, the Examiner refers broadly to Figure 3, again without citing any specific feature, to support the argument that Hoshino discloses a full width fulcrum and pivot groove. There is no fulcrum and no pivot groove illustrated, much less such elements extending the full width. Since the “saddle” of Hoshino is received in a pocket formed in the “anvil” of Hoshino, it would be impossible for the pivot groove to extend the full width as it would have to penetrate the walls of the pocket. As above, Applicant respectfully requests that the Examiner identify the specific elements in Hoshino thought to correspond to the fulcrum and pivot groove of the present invention.

Addressing claims 4 – 6, the Examiner states that Hoshino discloses a string groove, 32, with a radius equal to that of the string. All of the illustrations reviewed by the Applicant clearly disclose a V-shaped groove, see especially Figure 5, and applicant has found no discussion in the specification to suggest otherwise. Such a V-shaped groove is clearly not “semi-circular” as recited in claim 4 and inherited by claims 5 & 6. Further, not being arcuate of any form, the Hoshino groove does not have a radius, much less one “substantially equal to the radius of the string.” If the Examiner is aware of a specific disclosure of a groove as cited in the rejected claims, Applicant respectfully asks that it be identified.

Addressing claims 7 and 9, the Examiner states that Hoshino includes “an adjusting screw(34) passing through the saddle ... and threadedly engaging the anvil.” Apparently, the Examiner has reversed the “saddle” and “anvil.” In Hoshino, there is a length adjusting screw which passes through the anvil, not saddle, and threadedly engages the saddle, not the anvil. This reversal does not anticipate the claimed relationship. Further, the screw claimed in claim 7 functions to adjust the angle of the anvil while screw(34) in Hoshino is a length adjustment which is non-analogous.

The Examiner did not specifically address claim 8, even though it is an independent claim citing different elements than any of claim 1-7 or 9 which were addressed by the Examiner. As with the above rejections, the rejection of claim 8 is defective because the cited prior art fails to disclose cited elements including the fulcrum and pivot groove.

Applicant must respectfully request that the Examiner withdraw the above rejections of claims 1 – 9. As *Rowe, supra*, states, “[A]bsence from the reference of any claimed element negates anticipation.” There is not one, but several claimed elements which are not disclosed by the Hoshino patent. As such, it can not support a 35 USC 102 rejection and the rejections must be withdrawn.

#### Summary

In summary, Applicant believes that all of the Examiner’s objections have been addressed and that claims 1-14 as originally written are allowable. None of the claims has breadth greater than the original claims and no new material has been introduced.

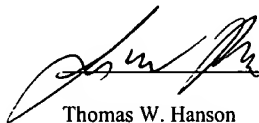
Applicant has made diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mr. Thomas W. Hanson, Applicant’s attorney at 303-789-1002 so that such issues may be resolved as expeditiously as possible.

For these reasons and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

Sept 7 02

Date

  
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